



Reprinted
March 6, 2001

SENATE BILL No. 9

DIGEST OF SB 9 (Updated March 5, 2001 2:25 PM - DI 87)

Citations Affected: IC 36-8.

Synopsis: Fire Protection Territory. Requires the legislative body of each unit creating a fire protection territory to give notice of and hold a public hearing before adopting an ordinance to create the territory. Specifies the information that must be included in the notice. Provides that different property tax rates may apply in the units that make up the territory, so long as a rate applies uniformly to all of a unit's taxable property within the territory.

Effective: Upon passage.

Zakas, Hume

January 8, 2001, read first time and referred to Committee on Rules and Legislative Procedure.

January 29, 2001, amended; reassigned to Committee on Governmental and Regulatory Affairs.

March 1, 2001, amended, reported favorably — Do Pass.

March 5, 2001, read second time, amended, ordered engrossed.

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SB 9—LS 6222/DI 13+



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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 9

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-8-19-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) To establish
3 a fire protection territory, the legislative bodies of each unit desiring to
4 become a part of the proposed territory must adopt identical ordinances
5 after January 1 but before April 1 authorizing the unit to become a
6 party to an agreement for the establishment of a fire protection
7 territory. **Before adopting an ordinance under this section, a**
8 **legislative body must hold a public hearing to receive public**
9 **comment on the proposed ordinance. The legislative body must**
10 **give notice of the hearing under IC 5-3-1.**

11 **(b) The notice required under this section shall include all of the**
12 **following:**

- 13 (1) A list of the provider unit and all participating units in the
14 proposed territory.
15 (2) The date, time, and location of the hearing.
16 (3) The location where the public can inspect the proposed
17 ordinance.

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(4) A statement as to whether the proposed ordinance requires uniform tax rates or different tax rates within the territory.

(5) The name and telephone number of a representative of the unit who may be contacted for further information.

(c) The ordinance adopted under this section shall include at least the following:

(1) The boundaries of the proposed territory.

(2) The identity of the provider unit and all other participating units desiring to be included within the territory.

(3) An agreement to impose:

(A) a uniform tax rate upon all of the taxable property within the territory for fire protection services; or

(B) different tax rates for fire protection services for the units desiring to be included within the territory, so long as a tax rate applies uniformly to all of a unit's taxable property within the territory.

(4) The contents of the agreement to establish the territory.

~~(b)~~ (d) An ordinance adopted under this section takes effect July 1 of the year the ordinance is adopted.

SECTION 2. IC 36-8-19-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. A tax levied under this chapter must be levied at:

(1) a uniform rate upon all taxable property within the territory; or

(2) different rates for the units included within the territory, so long as a tax rate applies uniformly to all of a unit's taxable property within the territory.

SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 9, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Governmental and Regulatory Affairs.

(Reference is to SB9 as introduced.)

GARTON, Chairperson

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 9, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 4 and 5, begin a new line block indented and insert:

"(4) The contents of the agreement to establish the territory."
and when so amended that said bill do pass.

(Reference is to SB 9 as printed January 30, 2001, Printer's Error.)

MERRITT, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Hume be added as coauthor of Senate Bill 9.

ZAKAS

 SENATE MOTION

Mr. President: I move that Senate Bill 9 be amended to read as follows:

Page 1, line 10, after "IC 5-3-1.", begin a new paragraph and insert:

"(b) The notice required under this section shall include all of the following:

- (1) A list of the provider unit and all participating units in the proposed territory.**
- (2) The date, time, and location of the hearing.**
- (3) The location where the public can inspect the proposed ordinance.**
- (4) A statement as to whether the proposed ordinance requires uniform tax rates or different tax rates within the territory.**
- (5) The name and telephone number of a representative of the unit who may be contacted for further information.**

(c)".

Page 1, line 10, after "ordinance" insert **"adopted under this section"**.

Page 2, line 6, strike "(b)" and insert **"(d)"**.

(Reference is to SB 9 as printed March 2, 2001.)

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